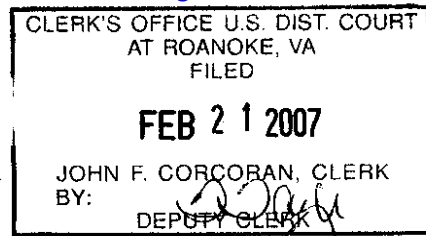


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



NATASHA MARIE MARKLE, Petitioner,)	
)	Civil Action No. 7:06CV00438
)	
v.)	<u>FINAL ORDER</u>
)	
UNITED STATES OF AMERICA, Respondent.)	By: Hon. Glen E. Conrad
)	United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is hereby

ORDERED

as follows:

1. Petitioner's motion to vacate, set aside or correct sentence under 28 U.S.C. § 2255 is **GRANTED** as to petitioner's claim that her attorney was constitutionally ineffective for failing to file a notice of appeal;
2. All other claims are **DISMISSED** as moot;
3. The Clerk shall prepare a new judgment in Criminal Action No. 5:04CR00025, the same in every respect as the original judgment except as to date of entry;
4. Upon entry of the new judgment, the original judgment shall be **VACATED**;
5. Petitioner shall have ten days from the entry of the new judgment to file a notice of appeal or request the Clerk to file a notice of appeal on her behalf; and
6. This action shall be **STRICKEN** from the active docket of the court.

The Clerk is directed to file a copy of this order and the accompanying memorandum opinion in Criminal Action No. 5:04CR00025. The Clerk is further directed to send certified

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copies of this order and the accompanying memorandum opinion to the petitioner, counsel of record for the respondent, and petitioner's defense counsel in the criminal action.

ENTER: This 20 day of February, 2007.

A handwritten signature in black ink, appearing to read "John S. Conrad", is written above a horizontal line.

United States District Judge